

JUDGE PAULEY

CIVIL COVER SHEET

15 CV 1446

JS 44C/SDNY
REV. 4/2014

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS
David Ganek

DEFENDANTS

David Liebowitz, Reed Brodsky, David Makol, Matt Komar, James Hinkle, Holly J. Trask,
David Chaves, Patrick Carroll, Rachel Rojas, Diego Rodriguez, Marc P. Berger,
Christopher L. Garcia, Richard B. Zabel, Boyd M. Johnson III, Preetinder S. Bharara
ATTORNEYS (IF KNOWN)

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Neufeld Scheck & Brustin, LLP
99 Hudson St, 8th Floor
New York, NY 10013
212-965-9081

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE)
(DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

Claims for violation of Constitutional Rights pursuant to Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics, 403 U.S. 388 (1971)

Has this action, case, or proceeding, or one essentially the same been previously filed in SDNY at any time? No ☒ Yes ☐ Judge Previously Assigned

If yes, was this case Vol. ☐ Invol. ☐ Dismissed. No ☐ Yes ☐ If yes, give date _____ & Case No. **FEB 26 2015**

IS THIS AN INTERNATIONAL ARBITRATION CASE?

No ☒ Yes ☐

(PLACE AN (X) IN ONE BOX ONLY)

NATURE OF SUIT

TORTS		ACTIONS UNDER STATUTES	
CONTRACT	PERSONAL INJURY	PERSONAL INJURY	FORFEITURE/PENALTY
[] 110 INSURANCE	[] 310 AIRPLANE	[] 367 HEALTHCARE/	[] 825 DRUG RELATED
[] 120 MARINE	[] 315 AIRPLANE PRODUCT	PHARMACEUTICAL PERSONAL	SEIZURE OF PROPERTY
[] 130 MILLER ACT	LIABILITY	INJURY/PRODUCT LIABILITY	21 USC 881
[] 140 NEGOTIABLE	[] 320 ASSAULT, LIBEL &	[] 385 PERSONAL INJURY	[] 690 OTHER
INSTRUMENT	SLANDER	PRODUCT LIABILITY	
[] 150 RECOVERY OF	[] 330 FEDERAL	[] 368 ASBESTOS PERSONAL	
OVERPAYMENT &	EMPLOYERS'	INJURY PRODUCT	
ENFORCEMENT	LIABILITY	LIABILITY	
OF JUDGMENT	[] 340 MARINE	PERSONAL PROPERTY	
[] 151 MEDICARE ACT	[] 345 MARINE PRODUCT	[] 370 OTHER FRAUD	
[] 152 RECOVERY OF	LIABILITY	[] 371 TRUTH IN LENDING	
DEFAULTED	[] 350 MOTOR VEHICLE		
STUDENT LOANS	[] 355 MOTOR VEHICLE		
(EXCL VETERANS)	PRODUCT LIABILITY		
[] 153 RECOVERY OF	[] 360 OTHER PERSONAL	[] 380 OTHER PERSONAL	LABOR
OVERPAYMENT	INJURY	PROPERTY DAMAGE	[] 710 FAIR LABOR
OF VETERAN'S	[] 382 PERSONAL INJURY -	[] 385 PROPERTY DAMAGE	STANDARDS ACT
BENEFITS	MED MALPRACTICE	PRODUCT LIABILITY	[] 720 LABOR/MGMT
[] 180 STOCKHOLDERS		PRISONER PETITIONS	RELATIONS
SUITS		[] 463 ALIEN DETAINEE	[] 740 RAILWAY LABOR ACT
[] 190 OTHER		[] 510 MOTIONS TO	[] 751 FAMILY MEDICAL
CONTRACT		VACATE SENTENCE	LEAVE ACT (FMLA)
[] 195 CONTRACT		28 USC 2255	
PRODUCT		[] 530 HABEAS CORPUS	[] 790 OTHER LABOR
LIABILITY		[] 535 DEATH PENALTY	LITIGATION
[] 196 FRANCHISE		[] 540 MANDAMUS & OTHER	[] 791 EMPL RET INC
			SECURITY ACT
REAL PROPERTY	ACTIONS UNDER STATUTES		IMMIGRATION
[] 210 LAND	CIVIL RIGHTS		[] 482 NATURALIZATION
CONDEMNATION	[] 440 OTHER CIVIL RIGHTS		APPLICATION
[] 220 FORECLOSURE	(Non-Prisoner)		[] 485 OTHER IMMIGRATION
[] 230 RENT LEASE &	[] 441 VOTING	PRISONER CIVIL RIGHTS	ACTIONS
EJECTMENT	[] 442 EMPLOYMENT	[] 550 CIVIL RIGHTS	
[] 240 TORTS TO LAND	[] 443 HOUSING/	[] 555 PRISON CONDITION	
TORT PRODUCT	ACCOMMODATIONS	[] 580 CIVIL DETAINEE	
LIABILITY	[] 445 AMERICANS WITH	CONDITIONS OF CONFINEMENT	
[] 290 ALL OTHER	DISABILITIES -		
REAL PROPERTY	EMPLOYMENT		
	[] 446 AMERICANS WITH		
	DISABILITIES -OTHER		
	[] 448 EDUCATION		

Check if demanded in complaint:

☐ CHECK IF THIS IS A CLASS ACTION
UNDER F.R.C.P. 23

DO YOU CLAIM THIS CASE IS RELATED TO A CIVIL CASE NOW PENDING IN S.D.N.Y.?
IF SO, STATE:

DEMAND \$ _____ OTHER _____ JUDGE _____ DOCKET NUMBER _____

Check YES only if demanded in complaint
JURY DEMAND: ☒ YES ☐ NO

NOTE: You must also submit at the time of filing the Statement of Relatedness form (Form IH-32).

(PLACE AN x IN ONE BOX ONLY)

☒ 1 Original Proceeding☐ 2 Removed from State Court☐ 3 Remanded from Appellate Court**ORIGIN**☐ 4 Reinstated or Reopened☐ 5 Transferred from (Specify District)☐ 6 Multidistrict Litigation☐ 7 Appeal to District Judge from Magistrate Judge Judgment☐ a. all parties represented☐ b. At least one party is pro se.

(PLACE AN x IN ONE BOX ONLY)

☐ 1 U.S. PLAINTIFF☐ 2 U.S. DEFENDANT☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY)☐ 4 DIVERSITY**IF DIVERSITY, INDICATE CITIZENSHIP BELOW.****CITIZENSHIP OF PRINCIPAL PARTIES (FOR DIVERSITY CASES ONLY)**

(Place an [X] in one box for Plaintiff and one box for Defendant)

CITIZEN OF THIS STATE PTF DEF [] 1 [] 1

CITIZEN OR SUBJECT OF A FOREIGN COUNTRY

PTF DEF [] 3 [] 3

INCORPORATED and PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE

PTF DEF [] 5 [] 5

CITIZEN OF ANOTHER STATE [] 2 [] 2

INCORPORATED or PRINCIPAL PLACE OF BUSINESS IN THIS STATE

[] 4 [] 4

FOREIGN NATION

[] 6 [] 6

PLAINTIFF(S) ADDRESS(ES) AND COUNTY(IES)

David Ganek, c/o
 Neufeld Scheck & Brustin, LLP
 99 Hudson Street, 8th Floor
 New York, NY 10013

DEFENDANT(S) ADDRESS(ES) AND COUNTY(IES)

For the best information currently available to Plaintiff, please see attached Appendix

DEFENDANT(S) ADDRESS UNKNOWN

REPRESENTATION IS HEREBY MADE THAT, AT THIS TIME, I HAVE BEEN UNABLE, WITH REASONABLE DILIGENCE, TO ASCERTAIN RESIDENCE ADDRESSES OF THE FOLLOWING DEFENDANTS:

Check one: THIS ACTION SHOULD BE ASSIGNED TO: ☐ WHITE PLAINS ☒ MANHATTAN
 (DO NOT check either box if this a PRISONER PETITION/PRISONER CIVIL RIGHTS COMPLAINT.)

DATE 2/26/15 SIGNATURE OF ATTORNEY OF RECORD

ADMITTED TO PRACTICE IN THIS DISTRICT

[] NO

☒ YES (DATE ADMITTED Mo. Sept. Yr. 1997)

RECEIPT #

Attorney Bar Code # 2844405

Magistrate Judge is to be designated by the Clerk of the Court.

Magistrate Judge MAAS is so Designated.

Ruby J. Krajick, Clerk of Court by _____ Deputy Clerk, DATED _____

UNITED STATES DISTRICT COURT (NEW YORK SOUTHERN)

**Appendix to Civil Cover Sheet:
Currently Known Addresses for Defendants**

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